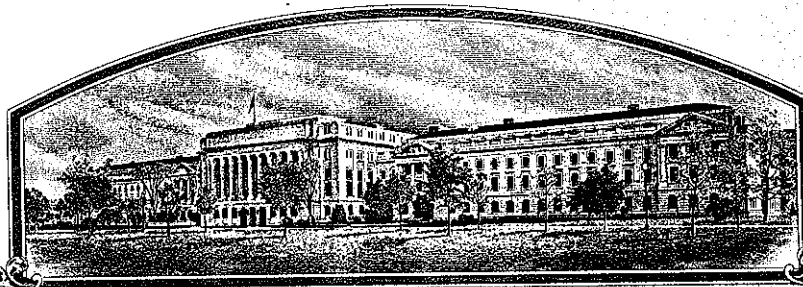


No.

8000134



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Quali-Sel, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *seventeen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (7 U.S.C. 2321 ET SEQ.)

LETTUCE

'Sumi'



In Testimony Whereof, I have hereunto set
my hand and caused the seal of the Plant
Variety Protection Office to be affixed
at the City of Washington
this 16th day of October in
the year of our Lord one thousand nine
hundred and eighty.

Attest:

Lyman K. Lee
Commissioner
Plant Variety Protection Office
Agriculture

Benjamin

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION

FORM APPROVED
OMB NO. 40-R3822

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1a. TEMPORARY DESIGNATION OF VARIETY		1b. VARIETY NAME Sumi		FOR OFFICIAL USE ONLY PV NUMBER 8000134	
2. KIND NAME Lettuce		3. GENUS AND SPECIES NAME Lactuca Sativa		FILING DATE 6/23/80	TIME 1:00 P.M.
4. FAMILY NAME (BOTANICAL) Compositae		5. DATE OF DETERMINATION October, 1979		FEE RECEIVED \$ 500.00 \$ 250.00	DATE 6/23/80 9/11/80
6. NAME OF APPLICANT(S) Quali-Sel, Inc.		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 11 W. Laurel Dr., #125 Salinas, Calif. 93906		8. TELEPHONE AREA CODE AND NUMBER (408)443-1013	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Corporation			10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION California		11. DATE OF INCORPORATION March 1, 1972
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: Quali-Sel, Inc. 11 W. Laurel Dr., #125 Salinas, Calif. 93906					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☒ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- ☒ 13B. Exhibit B, Novelty Statement.
- ☒ 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- ☒ 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.)		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?	14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED?		
<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		
15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "Yes," give name of countries and dates.)			
15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "Yes," give name of countries and dates.)			

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? ☒ YES ☐ NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

6-16-80

(DATE)

(SIGNATURE OF APPLICANT)

(DATE)

(SIGNATURE OF APPLICANT)

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

wd 0011
0861 8 2 NNP



QUALI-SEL, INC.

8000134

VARIETY: SUMI

EXHIBIT A

Origin and Breeding History of the Variety

1. Sumi originated from a hand pollinated cross between Great Lakes B Strain and Great Lakes Mesa 659, top crossed with Val Temp. The cross was made by Quali-Sel personnel in 1969.
2. Initial plantings were made in 1971 of the F₂ seed in Salinas, California. Plant selections were made from this planting. The selection process of the segregating progeny continued between Salinas, California and Yuma, Arizona. The final selection was made in Salinas, California. Selections were based on size, texture, color, bolting tolerance and heading ability.
3. Trial plantings were conducted in the Salinas, Imperial and San Joaquin Valleys of California and the Yuma, Arizona area. Genetic uniformity was obtained as a result of the trial plantings and selection procedures.
4. Sumi is genetically uniform and free of distinct variations.

See applicant's letter dated 8/5/80 for statement of stability.

ENB

8/22/80



QUALI-SEL, INC.

8000134

VARIETY: SUMI

EXHIBIT B

Sumi most closely resembles Amaral 400. The main differences are:

1. Sumi has a shorter core length and is more bolt tolerant.

Core length comparisons:*

<u>Sumi</u>	<u>Amaral 400</u>
33mm	39mm
24	42
27	35
31	40
29	38
23	33
31	38
25	35
25	31
29	35
24	32
28	39
30	35
	35
30	39
	40
25	34
29	40
30	35
<u>30</u>	<u>38</u>
Av = 27.9mm	Av = 36.7mm

*Data taken from Huron, California on a water date of 12/19/79.



SEEDS-COATING

QUALI-SEL SEEDS

Established to Fill a Need

SALINAS, CALIFORNIA 93906 • 11 W. LAUREL DR. #125 • (408) 443-1013

August 5, 1980

C. Rose Broome
Examiner, Plant Variety Protection Office
National Agricultural Library Building
Beltsville, Maryland 20705

Dear Miss Broome:

Subject: Lettuce Application No. 8000134, 'Sumi'

In regards to your request of genetic stability, I would like to add to Exhibit A that Sumi is genetically uniform and stable and free of distinct variations. There have not been any mutants noted.

Thank you for printing out the discrepancy in maturity. The statement on Exhibit B is correct and I would like to reverse the 70 and 68 on Exhibit C.

I would also like to add to Exhibit C on Seed Stalk Emergence. The number of days to seed stalk emergence on Sumi is 81 days compared to 75 days for Amaral 400. This data was obtained at Corcoran, California.

I would also like to add the following to Exhibit B. Sumi has a shorter seedstalk height than Amaral 400.*

TWX 9103687362

ANSWERBACK QUALI-SEL SLI

"In lieu of all other warranties, expressed or implied (including any implied warranty of merchantability or fitness for a particular purpose), and all other obligations or liabilities, we warrant to the extent of the purchase price that the seeds we sell are as described by us on our container within recognized tolerances. Our liability, whether contractual, for negligence or otherwise, is limited in amount to the purchase price of the seeds under all circumstances and regardless of the nature, cause or extent of the loss, and as a condition to any liability on our part, we must receive notice by registered mail of any claim that the seed is defective within 30 days after the defect in the seed becomes apparent; seeds not accepted under these terms and conditions must be returned at once in original unopened containers and the purchase price will be refunded."

Sumi

35
31
33
32
32
33
31
30
31
32
33
34
31
32
32
33
34
31
32
33

AVG = 32.3 inches

Amara1 400

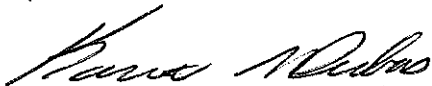
41
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42
39
39

AVG = 39.5 inches

*Data taken from Corcoran, California

Sincerely,

QUALI-SEL SEEDS



Kenneth L. Dubas
Director of Research

KLD/co



QUALI-SEL, INC.

8000134

VARIETY: SUMI
Exhibit B
Page Two

2. The frame size, core diameter and head diameter of Sumi are smaller than Amaral 400.*

<u>Sumi</u>			<u>Amaral 400</u>		
Frame	Core	Head	Frame	Core	Head
32cm	29mm	13cm	41cm	34mm	13cm
31	28	11	44	36	13
32	29	13	41	36	14
33	28	13	40	35	14.5
31	25	11.5	42	37	14
31	29	13	38	35	12
39	29	13.5	39	36	12.25
35	28	12.5	38	30	14
34	30	12	40	30	14
33	26	12.5	40	35	13
32	29	12.5	42	36	13
34	25	12	42	36	13
35	29	12	39	30	14
36	30	12.5	40	33	15
36	26	12	40	42	14
34	30	13	37	37	14
34	29	12	42	39	15
33	26	12	38	33	13.25
36	30	12	44	35	13
<u>35</u>	<u>27</u>	<u>12</u>	<u>42</u>	<u>30</u>	<u>13</u>
AV = 33.8cm	28.1mm	12.3cm	AV = 40.4cm	34.7mm	13.5cm

* Data taken from Huron, California on a water date of 12/19/79. The maturity of Sumi is 2-3 days earlier than Amaral 400. This is based on a July 7 planting in the Southern Salinas Valley.

The color of Sumi is a 146C on the Royal Horticultural Society Color Chart compared to a 144A for Amaral 400.

OBJECTIVE DESCRIPTION OF VARIETY
(LETTUCE)

INSTRUCTIONS: See reverse.

NAME OF APPLICANT(S)

Quali-Sel, Inc.

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)

11 West Laurel Dr., Suite #125
Salinas, Calif. 93906

FOR OFFICIAL USE ONLY

PVPO NUMBER

297 - 1 -

8000134

VARIETY NAME OR TEMPORARY DESIGNATION

Sumi

Place the appropriate number that describes the varietal character of this variety in the boxes below.

1. PLANT TYPE:

10 = CUTTING (Leaf)

20 = STALK

50 = BUTTERHEAD

60 = LATIN

70 = OTHER (Specify)

30 = COS

31 = SELF-CLOSING GROUP

32 = LOOSE-CLOSING GROUP

40 = CRISPHEAD

41 = IMPERIAL GROUP

42 = GREAT LAKES GROUP

43 = VANGUARD

44 = NEW YORK GROUP

2. SEED COLOR:

1 = WHITE

2 = BLACK

3 = YELLOW

3. ANTHOCYANIN:

1 = ABSENT

2 = PRESENT

4. LEAF CONTAINING ANTHOCYANIN:

1 = COVERED

2 = SPOTTED

3 = ALONG MARGIN

4 = ABSENT

5 = OTHER (Specify)

5. LEAF SURFACE TEXTURE:

1 = SMOOTH

2 = BLISTERED

6. LEAF SURFACE REFLECTANCE:

1 = DULL

2 = GLOSSY

3 = OTHER (Specify)

7. LEAF MARGIN:

1 = STRAIGHT

2 = WAVY

3 = CURLED

1 = ENTIRE

2 = DENTATE

3 = INCISED

4 = DEEPLY INCISED

5 = OTHER (Specify)

8. LEAF SHAPE:

1 = ROUNDED

2 = POINTED

1 = BROADER THAN LONG

2 = LONGER THAN BROAD

3 = OTHER (Specify)

9. LEAF COLOR: (See reverse.)

1 = RED

2 = REDDISH-BROWN

3 = YELLOW

4 = YELLOWISH-GREEN

5 = GREYISH-GREEN

6 = BLUE-GREEN

7 = DARK-GREEN

8 = VERY DARK GREEN

10. HEADS:

1 = SPHERICAL

2 = FLATTENED

3 = ELONGATE

4 = POINTED

5 = NON-HEADING

11. PLANT SIZE: (See reverse.)

1 = SMALL

2 = MEDIUM

3 = LARGE

12. CULTURE:

1 = SUMMER CROP

2 = WINTER CROP

3 = NOT SPECIFIC

4 = UNDER GLASS

5 = OTHER (Specify)

13. SIZE OF 10-DAY OLD SEEDLING GROWN UNDER CONSTANT LIGHT (Growth Chamber) AT 25° C.: (Place a zero in first box (i.e.) when size is 9 mm. or less.)

mm. LENGTH OF SEEDLING

mm. LENGTH OF COTYLEDON

mm. WIDTH OF COTYLEDON

14. DISEASE RESISTANCE TO: (Enter zeroes in box(es) where there is no special disease resistance.)

1 = TIPBURN

2 = MOSAIC

3 = DAMPING OFF

4 = DOWNY MILDEW

5 = SCLEROTINIA ROT

6 = BROWN BLIGHT

7 = BIG VEIN

8 = OTHER (Specify)

15. OUTLINE THE FOURTH LEAF: (For standardization purposes, the fourth leaf should be taken from a 20-day old plant grown under constant light.)



16. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER		NAME OF VARIETY			
Leaf color		Amara 1 400			
Leaf pigmentation		Amara 1 400			
Leaf shape		Amara 1 400			
Plant size		Van Max			
Head size		Van Max			

VARIETY	NO. OF DAYS TO HEAD MATURITY UNDER WINTER CROPPING	LOCATION	NO. OF DAYS TO HEAD MATURITY UNDER SUMMER CROPPING	LOCATION	NO. OF DAYS TO SEED STALK EMERGENCE UNDER SUMMER CROPPING	LOCATION
Submitted			70	Salinas, Ca	81	Corcoran, CA
Similar			68	Salinas, Ca	75	" "
Name of similar variety	Amara 1 400					

CRB - per letter from K. L. Dubas, rec'd. 8/13/80

INSTRUCTIONS

GENERAL: The following publications may be used as a reference aid for completing this form:

1. C. M. Rodenburg, 1960, Varieties of Lettuce, An International Monograph, Institutut Voor de Veredeling van Tuinbouwgewassen, Wageningen, Holland.
2. L. L. Morse, 1930, Field Notes on Lettuce, published by Ferry-Morse Seed Co.

LEAF COLOR: Nickerson's or any recognized color fan may be used to determine the leaf color of the described variety. The following lettuce varieties may be used as a guide to identify the eight colors listed on the form.

Color	Variety
Red	"Salad Trim"
Reddish-brown	"Ruby"
Yellow	"Salad Bowl"
Yellowish-green	"Oakleaf"
Greyish-green	"White Boston"
Bluish-green	"Bibb"
Dark-green	"Imperial" group
Very dark green	"Deer Tongue"

PLANT SIZE: The following varieties may be used as a guide to identify the plant type size:

TYPE	COMPARABLE VARIETIES		
	SMALL	MEDIUM	LARGE
Cutting (leaf)	Boston-Curled	Prize Head	Grand Rapids
Stalk (stem)	Celtuce		
Cos	Express	Parris Island	Giant White
Crisphead	Mignonette	Hanson (Merit)	Climax
Butterhead	Tom Thumb	Big Boston	Mammoth Butter
Latin	Sucriner	Creole	Deer Tongue



QUALI-SEL, INC.

8000134

VARIETY: SUMI

EXHIBIT D

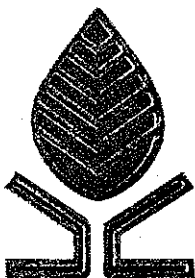
Additional Description of the Variety

A crisphead variety with a medium to small frame. The wrapper leaves are lightly savoyed. The cap leaf tends to stand up over the head.

The variety is best adapted to the warmer growing areas of the San Joaquin and Imperial Valleys of California and the lower desert areas of Arizona. This would coincide with the Empire growing season.

It is unique in the fact that it is a Vanguard type of lettuce adapted for the hot weather Empire slot.

The butt shape is flat with a medium to dark green color as compared to Empire. The leaf petioles are medium to wide in width and the margins are smooth.



Bruce Church, Inc.

November 8, 1988

United States Department of Agriculture
Agricultural Marketing Service
Warehouse and Seed Division - Plant Variety Protection Office
National Agricultural Library Bldg., Room 500
10301 Baltimore Boulevard
Beltsville, Maryland 20705

TO WHOM THIS MAY CONCERN:

Quali-Sel Seed has gone out of business, effective December 7, 1987. Would you please send future correspondence to Vic Heintzberger at:

Vic Heintzberger
Manager, Research & Development
Bruce Church, Inc.
P. O. Box 80599
Salinas, CA 93912-0599

Thank you.

Sincerely,

Jean Polk

Jean Polk
Bruce Church, Inc.

2-8-89

*Active Certificates
listed as Quali-Sel.*

7400019
7400024
7600014
7800082
7800084
8000134
8200023

